

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 3523 – SB 3407

March 11, 2010

SUMMARY OF AMENDMENT (013949): Deletes all language following the enacting clause. Defines “covered file-sharing program.” Adds, as an unfair or deceptive act or practice under the Tennessee Consumer Protection Act of 1977, the installation of, offering for installation, or making available for installation, reinstallation, or update a covered file-sharing program on a computer that is not owned by the person who installs, offers for, or makes available for installation, reinstallation, or update without prior notice that all files will be available to the public without affirmative action by the owner of the computer.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue – Not Significant
Increase State Expenditures – Not Significant

Increase Local Revenue – Not Significant
Increase Local Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

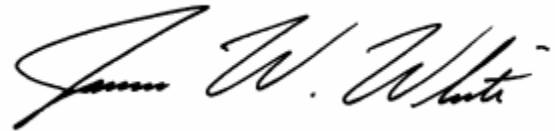
Assumptions applied to amendment:

- Violations of the Tennessee Consumer Protection Act of 1977 are punishable through civil penalties, private rights of action, and as a Class B misdemeanor.

- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

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